

Adopted

Rejected

COMMITTEE REPORT

YES: 6

NO: 5

MR. SPEAKER:

*Your Committee on Education, to which was referred House Bill 1797, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 20-12-0.5-8 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. The commission
- 5 shall have the following powers and duties:
- 6 (1) To develop, continually keep current, and implement a long
- 7 range plan for postsecondary education. In developing this plan,
- 8 the commission shall take into account the plans and interests of
- 9 the state private institutions, anticipated enrollments in state
- 10 postsecondary institutions, financial needs of students, and other
- 11 factors pertinent to the quality of educational opportunity
- 12 available to the citizens of Indiana. The plan shall define the
- 13 educational missions and the projected enrollments of the various
- 14 state educational institutions.
- 15 (2) To consult with and make recommendations to the commission
- 16 on vocational and technical education within the department of

workforce development on all postsecondary vocational education programs. The commission shall biennially prepare a plan for implementing postsecondary vocational education programming after considering the long range state plan developed under IC 20-1-18.3-10. The commission shall submit this plan to the commission on vocational and technical education within the department of workforce development for its review and recommendations, and shall specifically report on how the plan addresses preparation for employment.

(3) To make recommendations to the general assembly and the governor concerning the long range plan, and prepare to submit drafts and proposed legislation needed to implement the plan. The commission may also make recommendations to the general assembly concerning the plan for postsecondary vocational education under subdivision (2).

(4) To review the legislative request budgets of all state educational institutions preceding each session of the general assembly and to make recommendations concerning appropriations and bonding authorizations to state educational institutions, including public funds for financial aid to students by any state agency. The commission may review all programs of any state educational institution, regardless of the source of funding, and may make recommendations to the governing board of the institution, the governor, and the general assembly concerning the funding and the disposition of the programs. In making this review, the commission may request and shall receive, in such form as may reasonably be required, from all state educational institutions, complete information concerning all receipts and all expenditures.

(5) To submit to the commission on vocational and technical education within the department of workforce development for its review under IC 20-1-18.3-15 the legislative budget requests prepared by state educational institutions for state and federal funds for vocational education. These budget requests shall be prepared upon request of the budget director, shall cover the period determined by the budget director, and shall be made available to the commission within the department of workforce development before review by the budget committee.

1 (6) To make, or cause to be made, studies of the needs for various
2 types of postsecondary education and to make recommendations
3 to the general assembly and the governor concerning the
4 organization of these programs. The commission shall make or
5 cause to be made studies of the needs for various types of
6 postsecondary vocational education and shall submit to the
7 commission on vocational and technical education within the
8 department of workforce development the commission's findings
9 in this regard.

10 (7) To approve or disapprove the establishment of any new
11 branches, regional or other campuses, or extension centers or of
12 any new college or school, or the offering on any campus of any
13 additional associate, baccalaureate, or graduate degree, or of any
14 additional program of two (2) semesters, or their equivalent in
15 duration, leading to a certificate or other indication of
16 accomplishment. After March 29, 1971, no state educational
17 institution shall establish any new branch, regional campus, or
18 extension center or any new or additional academic college, or
19 school, or offer any new degree or certificate as defined in this
20 subdivision without the approval of the commission or without
21 specific authorization by the general assembly. Any state
22 educational institution may enter into contractual agreements with
23 governmental units or with business and industry for specific
24 programs to be wholly supported by the governmental unit or
25 business and industry without the approval of the commission.

26 (8) If so designated by the governor or the general assembly, to
27 serve as the agency for the purposes of receiving or administering
28 funds available for postsecondary education programs, projects,
29 and facilities for any of the acts of the United States Congress
30 where the acts of Congress require the state to designate such an
31 agency or commission. However, this subdivision does not
32 provide for the designation of the commission by the governor as
33 the recipient of funds which may be provided by acts of the
34 United States Congress, received by an agency, a board, or a
35 commission designated by the general assembly.

36 (9) To designate and employ an executive officer and necessary
37 employees, to designate the titles of the executive officer and
38 necessary employees, and to fix the compensation in terms of the

- 1 employment.
- 2 (10) To appoint appropriate advisory committees composed of
- 3 representatives of state educational institutions, representatives of
- 4 private colleges and universities, students, faculty, and other
- 5 qualified persons.
- 6 (11) To employ all powers properly incident to or connected with
- 7 any of the foregoing purposes, powers, or duties, including the
- 8 power to adopt rules.
- 9 (12) To develop a definition for and report biennially to the:
- 10 (A) general assembly;
- 11 (B) governor; and
- 12 (C) commission on vocational and technical education within
- 13 the department of workforce development;
- 14 on attrition and persistence rates by students enrolled in state
- 15 vocational education. A report under this subdivision to the
- 16 general assembly must be in an electronic format under IC 5-14-6.
- 17 (13) To submit a report to the legislative council not later than
- 18 August 30 of each year on the status of the transfer of courses and
- 19 programs between state educational institutions. The report must
- 20 include any changes made during the immediately preceding
- 21 academic year.
- 22 (14) To direct the activities of the committee, including the
- 23 activities set forth in subdivisions (15) and (16).
- 24 (15) To develop through the committee statewide transfer of credit
- 25 agreements for courses that are most frequently taken by
- 26 undergraduates.
- 27 (16) To develop through the committee statewide agreements
- 28 under which associate of arts and associate of science programs
- 29 articulate fully with related baccalaureate degree programs.
- 30 (17) To publicize by all appropriate means, including an Internet
- 31 web site, a master list of course transfer of credit agreements and
- 32 program articulation agreements.
- 33 **(18) To establish, with the assistance of the committee, a**
- 34 **statewide core transfer library of at least seventy (70) courses**
- 35 **that are transferable on all campuses of the state educational**
- 36 **institutions in accordance with the principles in section 13 of**
- 37 **this chapter.**
- 38 **(19) To establish, with the assistance of the committee,**

1 **articulation agreements for at least twelve (12) degree**
2 **programs:**

3 **(A) for which articulation agreements apply to any campus**
4 **in the Ivy Tech State College system and to Vincennes**
5 **University; and**

6 **(B) that draw from liberal arts and the technical,**
7 **professional, and occupational fields.**

8 SECTION 2. IC 20-12-0.5-13 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2005]: **Sec. 13. (a) The commission shall**
11 **exercise its powers and duties under section 8 of this chapter in a**
12 **manner to facilitate the use of:**

13 **(1) the core transfer library established under section 8(18) of**
14 **this chapter at state educational institutions; and**

15 **(2) at least twelve (12) degree programs established under**
16 **section 8(19) of this chapter at Ivy Tech State College and**
17 **Vincennes University.**

18 **(b) The core transfer library developed under section 8(18) of**
19 **this chapter shall be developed in accordance with the following**
20 **principles:**

21 **(1) Each course in the core transfer library must transfer in**
22 **and apply toward meeting degree requirements in the same**
23 **way as the receiving state educational institution's equivalent**
24 **course.**

25 **(2) Courses in the core transfer library must draw primarily**
26 **from the liberal arts but must include introductory or**
27 **foundational courses in technical, professional, and**
28 **occupational fields.**

29 **(3) At least seventy (70) courses must be identified for**
30 **inclusion in the core transfer library. The identified courses**
31 **must emphasize the courses most frequently taken by**
32 **undergraduates.**

33 **(4) With respect to core transfer library courses being**
34 **transferred from a state educational institution to Indiana**
35 **University or Purdue University, Indiana University and**
36 **Purdue University must identify transfer equivalents so that**
37 **a course accepted by one (1) regional campus is accepted by**
38 **all other regional campuses that offer the same transfer**

1 equivalent course.

2 **(5) Within the Indiana University system and the Purdue**
 3 **University system, courses with the same course number and**
 4 **title must count in the same way at all campuses within the**
 5 **system that also offer the same course with the same course**
 6 **number and title.**

7 **(c) The commission shall adopt rules under IC 4-22-2 and**
 8 **prescribe procedures to facilitate the use of the core transfer**
 9 **library, including designating courses in the core transfer library**
 10 **in all college and university catalogs and course listings under**
 11 **section 8(18) of this chapter, and at least twelve (12) degree**
 12 **programs established under section 8(19) of this chapter.**

13 SECTION 3. IC 20-12-1-2 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The Ball State
 15 University board of trustees, Indiana State University board of trustees,
 16 the trustees of Indiana University, the trustees of Purdue University,
 17 and the University of Southern Indiana board of trustees, each as to its
 18 respective institution, shall have the power and duty:

19 (1) to govern the disposition and method and purpose of use of the
 20 property owned, used, or occupied by the institution, including the
 21 governance of travel over and the assembly upon the property;

22 (2) to govern, by specific regulation and other lawful means, the
 23 conduct of students, faculty, employees, and others while upon the
 24 property owned, used, or occupied by the institutions;

25 (3) to govern, by lawful means, the conduct of its students,
 26 faculty, and employees, wherever the conduct might occur, to the
 27 end of preventing unlawful or objectionable acts that seriously
 28 threaten the ability of the institution to maintain its facilities
 29 available for performance of its educational activities or that are
 30 in violation of the reasonable rules and standards of the institution
 31 designed to protect the academic community from unlawful
 32 conduct or conduct presenting a serious threat to person or
 33 property of the academic community;

34 (4) to dismiss, suspend, or otherwise punish any student, faculty
 35 member, or employee of the institution who violates the
 36 institution's rules or standards of conduct, after determination of
 37 guilt by lawful proceedings;

38 (5) to prescribe the fees, tuition, and charges necessary or

convenient to the furthering of the purposes of the institution,
consistent with section 12 of this chapter and IC 20-12-76, and
 to collect the prescribed fees, tuition, and charges;

(6) to prescribe the conditions and standards of admission of
 students upon the bases as are in its opinion in the best interests of
 the state and the institution;

(7) to prescribe the curricula and courses of study offered by the
 institution and define the standards of proficiency and satisfaction
 within the curricula and courses established by the institution;

(8) to award financial aid to students and groups of students out
 of the available resources of the institution through scholarships,
 fellowships, loans, remissions of fees, tuitions, charges, or other
 funds on the basis of financial need, excellence of academic
 achievement, or potential achievement or any other basis as the
 governing board may find to be reasonably related to the
 educational purposes and objectives of the institution and in the
 best interest of the institution and the state;

(9) to cooperate with other institutions to the end of better
 assuring the availability and utilization of its total resources and
 opportunities to provide excellent educational opportunity for all
 persons;

(10) to establish and carry out written policies for the investment
 of the funds of the institution in the manner provided by
 IC 30-4-3-3; and

(11) to lease to any corporation, limited liability company,
 partnership, association, or individual real estate title to which is
 in the name of an institution or in the name of the state for the use
 and benefit of the leasing institution.

(b) A lease may be for such term and for such rental, either nominal
 or otherwise, as the board determines to be in the best interest of the
 institution. No lease shall be executed under this section for a term
 exceeding four (4) years unless the execution is approved by the
 governor and by the state budget agency. The universities shall be
 exempt from all property taxes on any real estate leased under this
 section, and the lessee shall be liable for property taxes on the leased
 real estate as if the real estate were owned by the lessee in fee simple,
 unless the lessee is a student living in university-owned facilities.

(c) This section shall not be construed to deny any tax exemption

1 that a lessee would have under other laws if the lessee were the owner
2 in fee simple of the real estate.

3 SECTION 4. IC 20-12-1-12 IS ADDED TO THE INDIANA CODE
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2005]: **Sec. 12. (a) As used in this section, "academic year"**
6 **has the meaning set forth in IC 20-12-76-1.**

7 **(b) As used in this section, "state educational institution" has the**
8 **meaning set forth in IC 20-12-0.5-1.**

9 **(c) In each odd-numbered year, a state educational institution**
10 **shall set tuition rates and fees for the two (2) academic years**
11 **beginning after June 30 in the odd-numbered year. A state**
12 **educational institution may adjust the tuition rates and fees for**
13 **either of the two (2) academic years if any of the appropriations**
14 **enacted by the general assembly for the academic year is withheld**
15 **or reduced, subject to the process requirements in subsection (d).**

16 **(d) Before a state educational institution sets or adjusts tuition**
17 **rates and fees under subsection (c), the state educational institution**
18 **must do the following:**

19 **(1) Publish notice of the proposed tuition rates and fees. In an**
20 **odd-numbered year, the notice must be published before April**
21 **15.**

22 **(2) Hold one (1) or more public meetings on a campus of the**
23 **state educational institution to discuss the proposed tuition**
24 **rates and fees. In an odd-numbered year, the public meetings**
25 **must be held before May 15.**

26 **(3) Make public the state educational institution's decision on**
27 **tuition rates and fees. In an odd-numbered year, publication**
28 **of the tuition rates and fees must occur before the later of:**

29 **(A) May 15; or**

30 **(B) ten (10) days after adjournment of the general**
31 **assembly.**

32 **(e) A state educational institution shall develop and offer a four**
33 **(4) year baccalaureate degree completion guarantee program. The**
34 **state educational institution shall report annually to the**
35 **commission for higher education on the status of the program. The**
36 **annual report must include the following:**

37 **(1) The percentage of students participating in the program.**

38 **(2) A comparison of four (4) year graduation rates of**

1 **participating students with nonparticipating students.**

2 SECTION 5. IC 20-12-19.7 IS ADDED TO THE INDIANA CODE
3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2005]:

5 **Chapter 19.7. Resident Tuition for Active Duty Military**
6 **Personnel**

7 **Sec. 1. As used in this chapter, "state educational institution"**
8 **has the meaning set forth in IC 20-12-0.5-1.**

9 **Sec. 2. This chapter applies to a person who is:**

- 10 **(1) a nonresident of Indiana;**
11 **(2) on active duty with a branch or department of the armed**
12 **forces of the United States; and**
13 **(3) stationed in Indiana.**

14 **Sec. 3. Notwithstanding any other statute, a person described in**
15 **section 2 of this chapter is eligible to pay the resident tuition rate**
16 **at the state educational institution the person will attend as**
17 **determined by the institution."**

18 Page 6, line 32, delete "Maximum Allowable" and insert
19 **"Guaranteed".**

20 Page 9, after line 37, begin a new paragraph and insert:

21 **"SECTION 9. [EFFECTIVE JULY 1, 2005] (a) The commission**
22 **for higher education shall complete the establishment of the initial**
23 **core transfer library under IC 20-12-0.5-8(18), as amended by this**
24 **act, for at least seventy (70) courses and the initial articulation**
25 **agreements for at least twelve (12) degree programs under**
26 **IC 20-12-0.5-8(19), as amended by this act, before July 1, 2006.**

1 **State educational institutions shall assist the commission for higher**
2 **education as necessary to comply with this SECTION.**

3 **(b) This SECTION expires June 30, 2007."**

4 Renumber all SECTIONS consecutively.

(Reference is to HB 1797 as introduced.)

and when so amended that said bill do pass.

Representative Behning